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C O N F I D E N T I A L SECTION 01 OF 02 NAIROBI 003052

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E.O. 12958: DECL: 07/28/2025

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SUBJECT: KENYAN GOVERNMENT REJECTS, BUT PUBLIC APPLAUDS, UK TRAVEL BAN ON MINISTER MURUNGARU

REF: NAIROBI 2281

Classified By: A/DCM Michael J. Fitzpatrick, for reasons 1.4 (b,d)

11. (C) SUMMARY: A just-announced UK travel ban on Minister of Transport Murungaru has dominated the media, and provoked a flurry of GOK criticisms of the UK, despite a quiet warning to President Kibaki six weeks ago. Most Kenyans, however, are cheering at this diplomatic slap against the government's top corruption-meister. European countries are considering following London's lead, and the Embassy is preparing its own case against Murungaru for the Department's consideration (septel). END SUMMARY.

12. (C) The British High Commission informed Transport Minister "Chris" Murungaru by letter July 26 that he will not be allowed to travel to the UK, as the Home Secretary has determined that his presence is "not conducive to the public good" due to "his character, conduct, and associations." There is no right of appeal. On the same day, the High Commission informed the airlines that Murungaru's visa had been canceled and he was not to be boarded on flights to the UK (not even as a transit passenger). Then-High Commissioner Clay, in his one-on-one farewell call on President Kibaki in mid-June, privately let the President know this action was coming.

13. (U) The Kenyan Government's counter-attack dominated July 28-29 media. Major papers stated that the GOK "condemns," "is furious" over, or "demands reasons" for the British action. "The Standard" noted that opposition KANU MP Charles Keter "asked the government to confirm whether five other ministers are also likely to face the same wrath." All papers drew a likely connection to corruption allegations, while noting that the notification to the airlines did not specify the reason for the ban. Among government reactions reported: Vice President Moody Awori said he was "terribly upset," while Minister for Foreign Affairs Ali Mwakwere criticized the British for not treating Murungaru "with the respect due" to a cabinet minister, and complained about a lack of formal communication. Kenya Government Spokesman Alfred Mutua said the government is "demanding an official detailed explanation from the UK government." The lead editorials in four major daily newspapers July 29 were critical of the UK's lack of public explanation for the decision. Talk radio suggests broad and deep public support for the UK move -- and that the public already knows all-too-well why his visa was pulled.

14. (C) A number of European diplomatic colleagues have been calling both us and the British, voicing support and letting us know they are considering similar actions against Murungaru. The Germans in particular have told us they are likely to follow the British lead. The Swiss are among others actively considering a similar move in solidarity to the UK decision. A number of Kenyans who have called Embassy staff have asked, "is it because of the cocaine?" (a reference to the more than one ton of cocaine seized here last December; refTel).

15. (C) The Embassy anticipates receiving a visa application from Minister Murungaru, who has been invited to attend a U.S.-Africa Transportation conference in Miami in October. (In fact, one of his sons, Mark, may well be studying currently in the United States.) Based on the British action and our own concerns about Murungaru's continuing actions, the Embassy has been preparing a recommendation of ineligibility for the Department's consideration, which will be transmitted separately.

16. (C) COMMENT: The British case against Murungaru is quite strong -- even had it been based narrowly and just on his illicit activities during his most recent travel to Britain alone. While the comparison with the 2004 U.S. action denying a visa to Moi-era Minister Nicholas Biwott is an obvious one, the British action (and ours should we now follow their lead) is even stronger in that it targets a sitting cabinet minister. After all our comments on the cost of high-level corruption to the people of Kenya, we owe it to Kenyans to take Murungaru's actions seriously not despite, but because of, our close relationship with and good wishes for Kenya. END COMMENT.

BELLAMY